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ATTORNEYS FOR PLAINTIFFS,  
KATHLEEN VENTIMIGLIA, individually, and as the Guardian  
Ad Litem for STEPHEN VENTIMILIA and KELLIE VENTIMILIA

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

KATHLEEN VENTIMIGLIA, individually,  
and as the Guardian Ad Litem for  
STEPHEN VENTIMILIA and KELLIE  
VENTIMILIA,

Plaintiffs,

v.

UNITED STATES OF AMERICA,  
CHAMBLIN-LANDES CONSTRUCTION,  
INC., a California corporation, and DOES  
1-50, inclusive,

Defendants.

No. C07 05481 RS

**STIPULATION AND [PROPOSED]  
ORDER CONTINUING CASE  
MANAGEMENT CONFERENCE AND  
MOTION TO DISMISS AND RELATED  
DEADLINES**

The initial case management conference for this case took place on February 27, 2008. A further case management conference is scheduled for September 3, 2008 at 2:30 p.m. Defendant United States of America's motion to dismiss and/or for summary judgment is also scheduled to be heard at 10:00 a.m. on September 3, 2008. However, due to difficulties in scheduling and plaintiff's trial calendar, the parties request that USA's motion to dismiss and/or for summary judgment be moved to November 5, 2008 along with the further case management conference.

1 Accordingly, so that the motion can be heard before the further case  
2 management conference and to allow plaintiff an opportunity to meaningfully oppose  
3 the motion, the parties to this action, through their attorneys of record, hereby  
4 STIPULATE AND REQUEST that USA's motion to dismiss and/or for summary  
5 judgment and the further case management conference be continued from  
6 September 3, 2008 to November 5, 2008 at 10:00 a.m. and 2:30 p.m., respectively.

7 Respectfully submitted,

8  
9 DATED: August 6, 2008

JOSEPH P. RUSSONIELLO  
United States Attorney

10  
11 /s/ Claire T. Cormier

12 CLAUDE T. CORMIER  
13 Assistant United States Attorney

14 DATED: August 6, 2008

CORSIGLIA, McMAHON & ALLARD LLP

15  
16 /s/ Bradley M. Corsiglia

17 BRADLEY M. CORSIGLIA  
18 Attorneys for Plaintiffs

19 DATED: August 6, 2008

EMERSON, COREY & SORENSEN

20  
21 /s/ James D. Emerson

22 JAMES D. EMERSON  
23 Attorneys for Defendant,  
24 Chamblin-Landes Construction, Inc.

**[PROPOSED] ORDER**

Pursuant to the stipulation of the parties and good cause appearing, IT IS SO ORDERED.

DATED: \_\_\_\_\_, 2008

\_\_\_\_\_  
RICHARD SEEBORG  
UNITED STATES MAGISTRATE JUDGE